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IN THE HOUSE

BY MESSRS. HAMMOND
AND CASHEL

HOUSE BILL NO. 143

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the fish and game re-
sources of Alaska; amending Art. I, Ch.
94, SLA 1959, by adding a new Sec. 37; and
providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

Section 1. Art. I, Ch. 94, SLA 1959, is amended to add a
new section to read:

Sec. 37. SPECIAL CONSERVATION LIMITATIONS. a. The
Department shall establish, for each salmon registration
area in the state, an average number for the total run of
salmon found within the registration area. The initial
average shall be determined by consideration of the salmon
runs in a registration area for the past five years. The
average shall be revised annually substituting statistics
from the most recent year for those of the most remote pre-
viously used in ascertaining the average.

b. Whenever the Department determines that the yearly
run of salmon in any one registration area will be 85% or
less of the average figure as determined in Subsec. a, the
Department may impose a catch limit on the number of salmon
that may be taken by any method by one licensed fisherman.
If the yearly run is 70% or less of the average, the Depart-
ment shall impose a catch limit. The catch limit may be
determined in the discretion of the Department, but in no

1 event may it exceed 2,500 fish. Regulations imposing catch
2 limits shall be promulgated in accordance with the Adminis-
3 trative Procedure Act. Nothing contained herein shall
4 limit the power of the Commissioner, when circumstances so
5 require and the conditions of this section are otherwise
6 met, to summarily impose catch limits by means of emergency
7 orders, which shall have the force of law after field
8 announcement by the said Commissioner or his authorized
9 designee.

10 c. Any licenseholder who wilfully and knowingly
11 violates the catch limit imposed by this section shall be
12 fined not more than \$5,000.00. In addition to any fine im-
13 posed, all receipts from sales of fish exceeding the catch
14 limit shall be covered into the general fund of the State
15 of Alaska.

16 d. If, at any time after the Department has imposed a
17 catch limit, the Department determines that (1) the run will
18 exceed 70% of the average run, or (2) the total number of
19 fish taken indicates that approximately 75% of the license-
20 holders have taken their catch limit, the Department may
21 rescind the limit, if the rescision would be commensurate
22 with sound conservation policies.

23 e. Nothing in this section shall affect the powers of
24 the Department as otherwise expressed in this Act.

25 Sec. 2. This Act takes effect on the day after its passage
26 and approval or on the day it becomes law without such approval.
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